

# Draft Construction Stormwater General Permit Modification

2017 Public Workshop  
February 6, 2017

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# Purpose of Today's Session

- **Explain CSWGP Modification, Schedule, and Public Process**
- **Present proposed modifications to the CSWGP**
- **Present proposed guidance**
- **Answer Questions**

# Appeal and Modification

- **CSWGP was appealed 12/17/15.**
- **Appellants**
  - **WA Aggregate & Concrete Assoc.**
  - **Associated General Contractors of WA**
  - **Inland NW Associated General Contractors**
  - **Building Industry Association of WA**
  - **Associated Builders & Contractors**
    - **Western WA Chapter**
    - **Inland Pacific Chapter**

# Appeal and Modification

- **Proposed Settlement Agreement.**
- **Draft Modification released 12/21/16.**
- **Comment Period Dec. 21, 2016 – February 10, 2017.**

# Modification Schedule

- **December 21: Ecology released *Draft Modification and Fact Sheet*.**
  - **Began Public Comment Period (52 days)**
- **February 6, 2017: Public Workshop & Hearing.**
- **Feb. 10: Close Public Comment Period.**
  - **Ecology reviews public comments**
  - **Ecology makes appropriate revisions**

# Modification Schedule

- **March 22: Issue Final Modification.**
  - Response to Comments.
  - Appealable.
  
- **May 5, 2017: Final Modification Effective.**
  - Supersedes existing permit.

# Construction Stormwater Website



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### Construction Stormwater General Permit

Construction site operators are required to be covered by a Construction Stormwater General Permit if they are engaged in clearing, grading, and excavating activities that disturb one or more acres and discharge stormwater to surface waters of the state. Smaller sites may also require coverage if they are part of a larger common plan of development that will ultimately disturb one acre or more. Operators of regulated construction sites are required to:

1. Develop stormwater pollution prevention plans.
2. Implement sediment, erosion, and pollution prevention control measures.
3. Obtain coverage under this permit.

### Permit Appeal and Proposed Modification

The current permit was appealed and a settlement agreement was reached for a minor permit modification. [Read the proposed permit changes and public comment instructions.](#) The public comment period is open **December 21, 2016 - February 10, 2017**. Comments will only be accepted for modified sections of the permit at this time. Proposed changes are scheduled to go into effect May 5, 2017.

We will host an informational public workshop and a public hearing on the draft permit modification on February 6, 2017. [Webinar registration](#)

#### [Permit, Forms and Documents](#)

#### [Discharge Monitoring Reports \(DMRs\)](#)

#### [Permit and Reporting Information System \(PARIS\)](#)

**Contact Us** - Contact your Permit Administrator for permit assistance or your Regional Office for site specific questions.

**High Turbidity Reporting** - Construction projects must report high stormwater turbidity results within 24 hours by phone or electronically. If you get a high result, call your Ecology [regional office](#).

**Resources and Guidance** - DMRs, Stormwater monitoring, manuals, 303(d) list information, CESCL.

#### [Historical Information](#)

[Sign up for the Construction Stormwater General Permit email listserv](#)  
Questions? Contact Amy Moon at 360-407-6467 or [amy.moon@ecy.wa.gov](mailto:amy.moon@ecy.wa.gov)



[Online Application \(eNOI\) Now Available](#)

[Erosivity Waiver Calculator](#) | [Fact Sheet](#)

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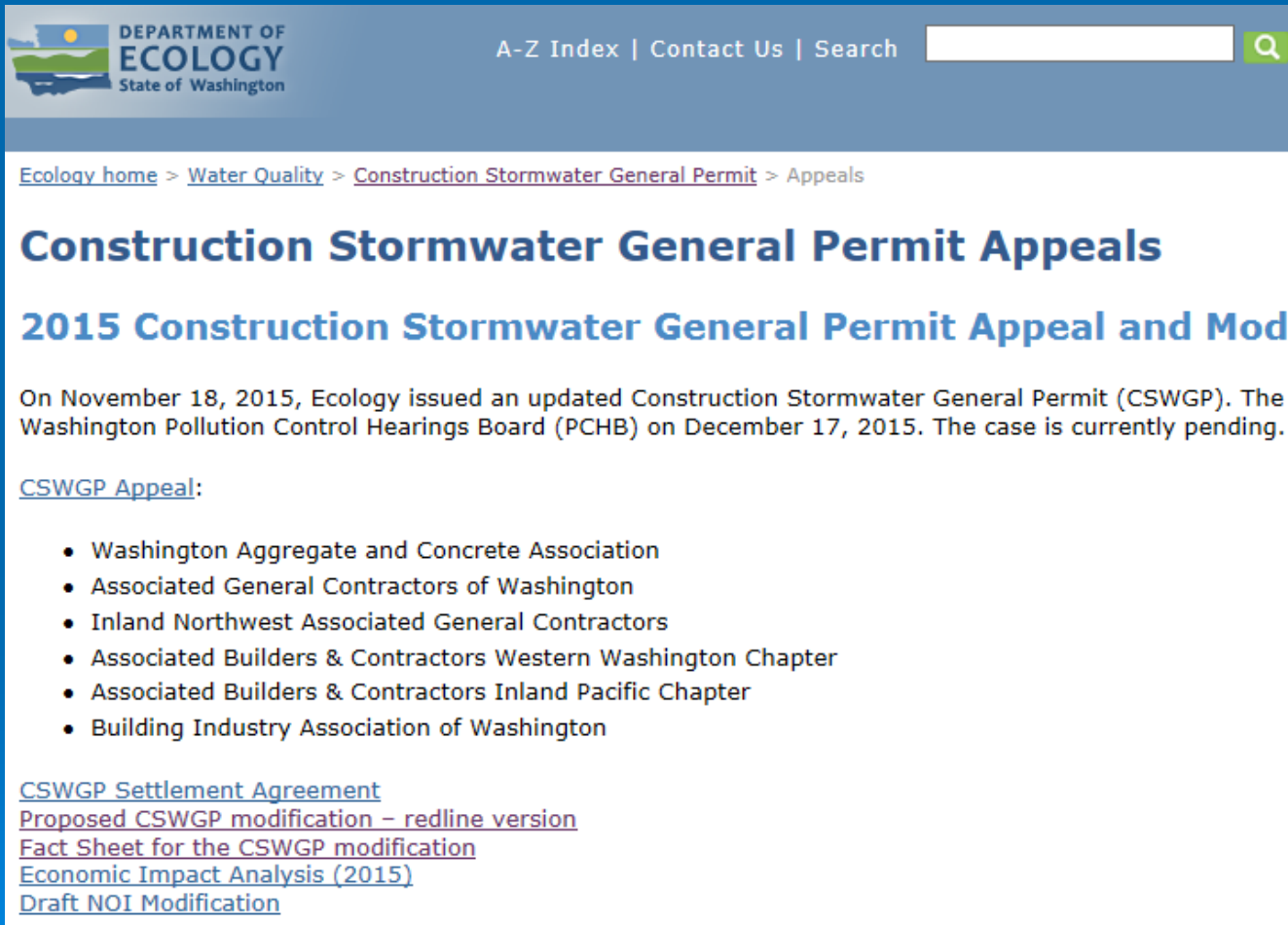
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# Construction Stormwater Website



The screenshot shows the Washington Department of Ecology website. The header includes the department logo, navigation links for 'A-Z Index', 'Contact Us', and a search bar. The breadcrumb trail reads: 'Ecology home > Water Quality > Construction Stormwater General Permit > Appeals'. The main heading is 'Construction Stormwater General Permit Appeals'. Below it is a sub-heading '2015 Construction Stormwater General Permit Appeal and Modification'. The text states that on November 18, 2015, Ecology issued an updated Construction Stormwater General Permit (CSWGP), and the Washington Pollution Control Hearings Board (PCHB) heard the case on December 17, 2015, which is currently pending. A section titled 'CSWGP Appeal:' lists six organizations: Washington Aggregate and Concrete Association, Associated General Contractors of Washington, Inland Northwest Associated General Contractors, Associated Builders & Contractors Western Washington Chapter, Associated Builders & Contractors Inland Pacific Chapter, and Building Industry Association of Washington. At the bottom, there are links to 'CSWGP Settlement Agreement', 'Proposed CSWGP modification - redline version', 'Fact Sheet for the CSWGP modification', 'Economic Impact Analysis (2015)', and 'Draft NOI Modification'.

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## Construction Stormwater General Permit Appeals

### 2015 Construction Stormwater General Permit Appeal and Modification

On November 18, 2015, Ecology issued an updated Construction Stormwater General Permit (CSWGP). The Washington Pollution Control Hearings Board (PCHB) on December 17, 2015. The case is currently pending.

[CSWGP Appeal:](#)

- Washington Aggregate and Concrete Association
- Associated General Contractors of Washington
- Inland Northwest Associated General Contractors
- Associated Builders & Contractors Western Washington Chapter
- Associated Builders & Contractors Inland Pacific Chapter
- Building Industry Association of Washington

[CSWGP Settlement Agreement](#)  
[Proposed CSWGP modification - redline version](#)  
[Fact Sheet for the CSWGP modification](#)  
[Economic Impact Analysis \(2015\)](#)  
[Draft NOI Modification](#)



# Proposed Changes

## ➤ Four proposed changes

- The new language is underlined
- ~~Removed language~~ has a strike-through

# Proposed Changes

- Revisions proposed to:
  - S1.C.3.i – dust control
  - S4.D – pH sampling requirements
  - S9.B.1.f – engineering calculation requirements
  - S9.D.9.h – concrete washout

# S1.C.3.i Dust Control

- S1.C.3 is the section on Non-Stormwater Authorized Discharges

- Proposed modification:

Uncontaminated or potable water used to control dust. Permittees must minimize the amount of dust control water used.

# S4.D pH Sampling Requirements

- S4.D. is the Monitoring Requirements, Benchmarks, and Reporting Triggers section
  - Current CSWGP requires pH monitoring of recycled concrete when first exposed to precipitation
  - Recycled concrete is not part of the definition of significant concrete work
- Proposed Modification is to the pH sampling requirements for significant concrete work and recycled concrete

## S4.D pH Sampling Requirements

If construction activity results in the disturbance of 1 acre or more, ***and*** involves significant concrete work (significant concrete work means greater than 1000 cubic yards poured concrete or recycled concrete used over the life of a project) or the use of ~~recycled concrete~~ or engineered soils (soil amendments including but not limited to Portland cement-treated base [CTB], cement kiln dust [CKD], or fly ash), and stormwater from the affected area drains to surface waters of the State or to a storm sewer system that drains to surface waters of the State, the Permittee must conduct pH sampling as set forth below.

# S4.D pH Sampling Requirements

2. For sites with recycled concrete where monitoring is required, the Permittee must begin the weekly pH sampling period when the recycled concrete is first exposed to precipitation and must continue until the recycled concrete is fully stabilized with the ~~and~~ stormwater pH is in the range of 6.5 to 8.5 (su).

# S4.D pH Sampling Requirements

Footnote 2 for Table 3. Summary of Primary Monitoring Requirements:

<sup>2</sup> If construction activity results in the disturbance of 1 acre or more, and involves significant concrete work (1,000 cubic yards of poured concrete or recycled concrete over the life of a project) or the use of ~~recycled concrete or engineered soils...~~



# S9.B.1.f Engineering Calculation Requirements

Engineering calculations for ponds, treatment systems, and any other designed structures. When a treatment system requires engineering calculations, these calculations must be included in the SWPPP. Engineering calculations do not need to be included in the SWPPP for treatment systems that do not require such calculations.



## S9.D.9.h Concrete Washout

Assure that washout of concrete trucks is performed off-site or in designated concrete washout areas only. Do not wash out concrete trucks drums or ~~concrete handling equipment~~ onto the ground, or into storm drains, open ditches, streets, or streams. Do not dump excess concrete on site, except in designated concrete washout areas. Concrete spillage or concrete discharge directly to groundwater or to surface waters of the State is prohibited. Do not wash out to formed areas awaiting LID facilities.

# Proposed Guidance

- **S1.B.1.a – Operators Required to Seek Coverage Under this General Permit**
- **S9.D.13 – Protection of Low Impact Development (LID) Facilities**

# Guidance for S1.B.1.a

The determination of total disturbed acreage for the purposes of permit coverage must include off-site acreage that will be disturbed as a direct result of the construction project and will discharge stormwater. For example, off-site equipment staging yards, material storage areas, borrow areas, and parking areas as indicated in S1.C.2. Off-site acreage does not have to be included for the purposes of determining total acreage disturbed if it is covered under a separate permit coverage for any stormwater discharge.

# Guidance for S9.D.13

LID BMPs may be used to manage construction stormwater during construction; however, **LID BMPs that will be used post construction (permanent facilities) must be restored to fully functioning condition.** This includes, if necessary, the removal of sediment and replacing the removed soils with soils meeting the design specification. In addition, infiltration rates must be maintained or restored to meet post construction LID design criteria.

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# Questions?

Written comments can be emailed to  
**[cswgpcgeneral@ecy.wa.gov](mailto:cswgpcgeneral@ecy.wa.gov)**

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